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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 JOHN GARRETT SMITH,

8 Plaintiff,

9 v.

10 SANDRA ALDRIDGE, et al.,

11 Defendants.

No. 3:19-CV-05600-RBL-DWC

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

12 THIS MATTER is before the Court the Report and Recommendation of Magistrate Judge
13 David W. Christel [Dkt. # 8], Plaintiff Smith's Objections [Dkt. # 9], and the underlying record.

14 (1) The Report and Recommendation is **ADOPTED**.

15 (2) Smith's Application to Proceed *in forma pauperis* [Dkt. # 5] is **DENIED**.

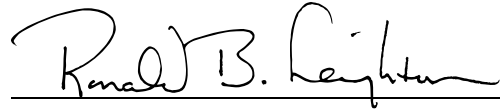
16 (3) Smith is directed to pay the \$400 filing fee within ***thirty (30) days*** of the date on
17 which this Order is signed. Failure to timely submit the requisite filing fee will result in dismissal
18 of this case without prejudice.

19 (4) As Smith has incurred three strikes under 28 U.S.C. § 1915(g), the Court finds
20 Smith may not proceed on appeal with *in forma pauperis* status.
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1 The Clerk shall send copies of this Order to Smith's last known address and to Magistrate
2 Judge Christel.

3 IT IS SO ORDERED.

4 **DATED** this 4th day of September, 2019.

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7 Ronald B. Leighton
8 United States District Judge
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